

ESTTA Tracking number: **ESTTA728462**

Filing date: **02/22/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91215566
Party	Defendant Springbot, LLC
Correspondence Address	JOHN M NADING DLA PIPER LLP (US) 500 8TH ST NW WASHINGTON, DC 20004-2131 UNITED STATES Ann.Ford@dlapiper.com,Ryan.Compton@dlapiper.com,dctrademarks@dlapiper.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	John M. Nading
Filer's e-mail	ann.ford@dlapiper.com,john.nading@dlapiper.com,ashely.joyce@dlapiper.com, alberto.zacapa@dlapiper.com,dctrademarks@dlapiper.com
Signature	/John M. Nading/
Date	02/22/2016
Attachments	SPRINGBOT Opp. No. 91215566 -- Consented Motion for 60-Day Suspension.pdf(122362 bytes)

In the matter of Service Mark
Application Serial No. 85/871,678
Mark: SPRINGBOT
Filed: March 8, 2013
Published: September 24, 2013

Applicant.

Opposition No. 91215566

Commissioner for Trademarks
Post Office Box 1451
Alexandria, Virginia 22313-1451

Springbot, LLC (“Applicant”), by and through the undersigned counsel, together with Opposer Bottle Rocket Corp. (“Opposer”), submit this Consented Motion for a Sixty-Day Suspension with the Trademark Trial and Appeal Board (“Board”), respectfully requesting that the Board grant the suspension for the purpose of settlement negotiations, and that all subsequent case deadlines be re-set by sixty days, pursuant to TBMP §§ 510.03(a) & 605.02.

The new case deadlines following resumption of proceedings would be as follows:

Defendant's Pretrial Disclosures: August 6, 2016

Defendant's 30-Day Trial Period Ends: September 20, 2016

Plaintiff's Rebuttal Disclosures: October 5, 2016

Plaintiff's 15-Day Rebuttal Period Ends: November 4, 2016

The Parties are engaged in settlement negotiations. The next deadline is currently the close of the Discovery Period on February 23, 2016. On February 19, 2016, Applicant secured the express consent of Opposer, as confirmed by its attorney Linda S. McAleer, to this Consented Motion and for the extension requested herein.

The Parties respectfully submit that this Consented Motion is not made for the purpose of unduly delaying proceedings before the Board.

WHEREFORE, in light of the foregoing, the Parties have shown good cause as to why the instant Consented Motion should be granted. As such, the Parties request that further appropriate action be taken in these proceedings, including the granting of a suspension for sixty days, and that all subsequent case deadlines be re-set by sixty days accordingly.

Respectfully submitted,

Dated: February 22, 2016

By: /s/ John M. Nading
Ann K. Ford
John M. Nading
Ashley H. Joyce
DLA PIPER LLP (US)
500 Eighth Street, N.W.
Washington, D.C. 20004
Tel. 202-799-4000
Fax 202-799-5000

Attorneys for Applicant Springbot, LLC

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing **CONSENTED MOTION FOR A SIXTY-DAY SUSPENSION** was served via electronic mail, as agreed to by the Parties, to Opposer's counsel of record:

Linda S. McAleer
The Law Offices of Linda S. McAleer
1434 5th Avenue
San Diego, California 92101
linda@lindamcaleer.com

this 22nd day of February, 2016.

/s/ John M. Nading

John M. Nading

Attorney for Applicant